

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

EFS&T Department- Allotment of the balance quantity of 90 MTs of C Grade Red Sanders Wood instead of A,B & C grades to M/s.Rocky Red Sandal Wood Musical Instruments Export, Hyderabad - Orders – Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (FOR.III) DEPARTMENT

G.O.Rt.No.90

Dt.09.03.2011

Read the followings:-

- 1.G.O.Rt.No.382 EFS&T (For.III) Dept., dt:7-10-1998.
2. G.O. Rt.No.342 EFS&T (For.III) Dept., dated:4-10-2000.
3. G.O.Rt.No.39 EFS&T (For.III) Dept., dated:17-02-2004.
4. Hon'ble High Court, order dated 10-12-2009, in W.P.No.23000/2009.
5. From the Principal Chief Conservator of Forests, AP, Hyderabad, Letter No.49703/2009/V2, Dt.30.12.2009.
6. Representation of the Proprietor, M/s.Rocky Red Sandal Wood Musical Instruments Export, Hyderabad, Dt.5.01.2011.

ORDER:-

In the reference 1st read above, Government, have accorded permission to Forest Department to allot 100 MTs of different grades of Red Sanders Wood to M/s.Rocky Sandal Wood Musical Instruments Export, Chennai, subject to certain conditions. Out of the allotted quantity, M/s.Rocky Red Sandal Wood Musical Instruments Export, Chennai had lifted only 10 MTs of Red Sanders Wood, and requested for extension of time for lifting the balance quantity of 90 MTs.

2. In the reference 2nd read above, Government, after examining the request of M/s.Rocky Red Sandal Wood Musical Instruments Export, Chennai, granted extension of time for a period of 6 months for lifting the balance quantity of 90 MTs of Red Sanders Wood in 3 equal installments after an interval of every 2 months on production of Bank Guarantee. Even after having been given ample opportunities by the Government by way of granting extension of time, the petitioner did not lift the balance material and failed to avail the opportunities up to January, 2004.

3. In the reference 3rd read above, Government issued orders cancelling the orders of allotment of Red Sanders Wood to M/s.Rocky Red Sandal Wood Musical Instruments Export.

4. Aggrieved by these orders, M/s.Rocky Red Sandal Wood Musical Instruments Export, Hyderabad, have filed W.P.No.23000 of 2009 before the Hon'ble High Court of AP,. The Hon'ble High Court, in its order dated 10-12-2009, while allowing the W.P.No.23000/2009 filed by M/s.Rocky Red Sandal Wood Musical Instruments Export, Hyderabad, have issued the following directions.

".....the writ petition is allowed directing that the petitioner shall be entitled to purchase the balance quantity of 90 metric tones of Red Sanders Wood mentioned in G.O.Rt.No.342 dated:4-10-2000, on same conditions, but at the present market value to be stipulated by the 1st respondent within one month from the date of receipt of a copy of this order. The agreement in this regard shall be executed by the petitioner and the 2nd respondent within two weeks from the date of receipt of a copy of this order and it shall be the

obligation of the petitioner to make necessary arrangements for this purpose. There shall be no order as to costs".

5. In the reference 5th read above, the Principal Chief Conservator of Forests, Andhra Pradesh, while bringing the above order of the Hon'ble High Court, to the notice of the Government have requested to pass appropriate orders in the matter.

6. Subsequently the petitioner has also filed contempt case No.1050/2010 in W.P.No.23000/2009 for implementation of the order of the Hon'ble Court.

7. In the meantime a meeting was held by the Government, with M/s Zitan Trading Corporation, Hyderabad and M/s Andhra Fogaku Pvt. Ltd., Hyderabad on disposal of RS Wood through tender process and it was agreed for fixing the rate of Rs.2.20 Lakhs per MT for non-grade RS Wood and Rs.2.574 Lakhs per MT for 'C' grade RS Wood. In this meeting M/s.Rocky Red Sandal Wood Musical Instruments Export, to whom orders were already issued for supply of 90 MTs of A,B & C grades of RS Wood earlier, have agreed for taking the total quantity i.e., 90 MTs of C grade only as per the rate fixed by the Government.

8. In the reference 6th read above, , M/s.Rocky Red Sandal Wood Musical Instruments Export, Hyderabad, have represented that if the department is not in a position to supply A,B& C Grades RS Wood, they are prepared to take C Grade quantity of 90 MTs Red Sanders Wood as per the rates fixed by the Government and in the event of the same they informed that they will withdraw the Writ Petition by filing a compromising petition in the High Court in terms of the negotiations held on 05-01-2011.

9. Government, after careful examination of the matter, hereby order to allot the balance quantity of 90 MTs, of C Grade Red Sanders Wood at Rs.2.574 Lakhs per MT to M/s.Rocky Red Sandal Wood Musical Instruments Export, Hyderabad, on the same conditions as in the reference 1st read above, subject to withdrawing the Writ Petition by M/s.Rocky Red Sandal Wood Musical Instruments Export, Hyderabad, by filing a compromising petition in the Hon'ble High Court in terms of the negotiations.

10. The Principal Chief Conservator of Forests, Andhra Pradesh, Hyderabad is requested to take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

JANAKI R.KONDAPI
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Principal Chief Conservator of Forests,
Andhra Pradesh, Hyderabad.
Copy to :
M/s.Rocky Red Sandal Wood Musical Instruments Export,
Hyderabad.

//FORWARDED :: BY ORDER//

SECTION OFFICER